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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,656	04/26/2000	Miyuki Enokida	862.C1901	9979

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EXAMINER

TO, BAOQUOC N

ART UNIT PAPER NUMBER

2162

DATE MAILED: 03/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/558,656	<b>Applicant(s)</b> ENOKIDA ET AL.	
	<b>Examiner</b> Baoquoc N. To	<b>Art Unit</b> 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 21,23-27,51,53-57 and 64 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 24,25,54 and 55 is/are allowed.
- 6) ☒ Claim(s) 21,26,27,51,53,56,57 and 64 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                        |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____   |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/22/2006 has been entered.

Claims 21, 23-25, 51, 53-55 and 64 are amended on 11/17/2005. Claims 21, 23-27, 51, 53-57 and 64 are pending this application.

### ***Response to Arguments***

2. Applicant's arguments filed 11/17/2005 and 01/19/2006 have been fully considered but they are not persuasive.

Since the response dated on 01/19/2006 is supplement remark and the most recent one, the examiner only responds to the most recent argument.

Applicant argues "Shiomi fails to disclose or suggest extracting comment text data forming meta-data from the multiple kind of meta-data included in data files existing in a directory and generating directory meta-data for the directory by using the extracted common text data. For example, it is apparent that, in Fig. 6 the text string "MEAT" is not extracted as common text data from the text strings "PORK", "BEEF" and "CHICKEN".

The examiner respectfully disagrees with the above argument. As discloses by Shionmi "data classifying unit for extracting form the data storing unit data which includes attribute selecting unit and classifying the extract data into at least one group so that each piece of data in the group includes a common attribute value" (col. 7, lines 33-37). The common extracted attributes are group into one group and a name is given to that specific group. The common extracted attributes are the attributes for this specific directory (col. 7, lines 40-49).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 21, 26-27, 56-57 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiomi et al. (US. Patent No. 6,009,439) in view of Yamada et al. (US. Patent No. 6,490,683 B1).

Regarding on claims 21 and 51, Shiomi teaches a data processing method comprising the steps of:

reading multiple kinds of meta-data from data files belonging to a directory, each of the data files having both content data and meta-data formed by text data to indicate characteristics of the content data (attribute selecting unit for selecting at least one attribute among the plurality of attributes in the data storing unit) (col. 7, lines 24-28);

extracting common meta-data from the multiple kinds of meta-data including in the data files read in said reading step (data classifying unit for extracting from the data storing unit data which include attribute value included in attributes selected by the attribute selecting unit) (col. 7, lines 24-28 and 35-40);

generating directory meta-data for directory by using the common text data extracted in said extracting step (col. 7, lines 24-28). However, Shiomi does not explicitly teach attaching the directory meta-data generated in said generating step to the directory. On the other hand, Yamada teaches "file management and file searches are easily performed by dividing file data into groups, each group containing a plurality of file data items having common data contents. A group of plurality of file data items is called a "directory" or "folder". An independent directory name (or folder name) is attached to each directory (or folder) (col. 22, lines 62-67. Yamada suggests the same concept and also the name of the directory is attached to its directory. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Shiomi's system to include attaching a generated title with the directory as taught Yamaha in order to sort files into different groups thereby providing user with easy access.

Regarding on claims 23 and 53, Shiomi teaches the method recited in claim 21, wherein: when in said searching step there is no common meta-data item, the directory meta-data for the directory is generated based on a meta-data item whose content is included in most of the data files belonging to the directory step (col. 7, lines 24-48).

Regarding on claim 26, Shiomi teaches the method recited in claim 21, wherein: each data file includes image data, audio data, or dynamic image data (col. 7, lines 24-48).

Regarding on claims 27 and 57, Shiomi discloses substantially the invention as claimed excepting for the attaching step, the meta-data generated in said generating step is appended to the end of the directory data. On the other hand, Yamada teaches “file management and file searches are easily performed by dividing file data into groups, each group containing a plurality of file data items having common data contents. A group of plurality of file data items is called a “directory” or “folder”. An independent directory name (or folder name) is attached to each directory (or folder) (col. 22, lines 62-67). Yamada suggests the same concept and also the name of the directory is attached to its directory. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Shiomi’s system to include attaching a generated title with the directory as taught Yamaha in order to sort files into different groups thereby providing user with easy access.

***Allowable Subject Matter***

4. Claims 24-25 and 53-54 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:


Commissioner of Patents and Trademarks  
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(571) –273-8300 [Official Communication]

BQ To

March 5th, 2006

  
Baoquoc N. To  
Patent Examiner